

REMARKS

Claims 1, 3-11, 23, 24, 26-29, 39, and 40 are pending, of which claims 1, 7, 23, 26 and 40 are independent. Claims 1, 7, 10, 23, and 24 have been amended. No new matter has been introduced. Applicants have filed a Request for Continued Examination (RCE) herewith. Reexamination and reconsideration of this application are respectfully requested.

Claims 1, 3-7, 10, 23, 39, and 40 were rejected under 35 U.S.C. §103(a) as being obvious given U.S. Patent No. 5,280,527 to Gullman ("Gullman") in view of U.S. Patent No. 6,792,083 to Dams et al. ("Dams"). Claims 26-29 were rejected under 35 U.S.C. §103(a) as being obvious given Gullman in view of a combination of Dams and U.S. Patent No. 6,161,005 to Pinzon ("Pinzon"). Claims 1, 3-8, 10, 11, 23, 24, 39, and 40 were rejected under 35 U.S.C. §103(a) as being obvious given U.S. Published Application No. 2003/0018478 to Mays ("Mays") in view of a combination of Dams and Gullman. These rejections are respectfully overcome for the reasons discussed below.

35 U.S.C. §103(a) rejection – claims 1, 3-7, 10, 23, 39, and 40 (Gullman and Dams)

Claims 1, 3-7, 10, 23, 39, and 40 were rejected under 35 U.S.C. §103(a) as being obvious given Gullman in view of Dams. The Examiner stated that Gullman discloses (a) a security control apparatus having a security device (electronic gate/lock 10); (b) a control apparatus (access device 12) responsive to security codes for enabling and disabling the security device; and (c) a voiceprint/speech activated controller unit (security code source unit 14) including circuitry responsive to a voiceprint analysis apparatus 14 for communicating a security code.

The Examiner conceded that Gullman does not disclose a speaker dependent voice arrangement which analyzes a first received voice signal to effect access to a secured area and a speaker independent voice analysis arrangement which analyzes a second received voice signal being different from the first received voice signal, the second received voice signal including a passcode to effect entry into a secured area and which passcode is verified by the control apparatus to effect the access to the secured area. However, the Examiner stated that such features are disclosed in Dams and that it would have been obvious to a

person of ordinary skill in the art at the time of the invention to combine the teachings of Gullman and Dams in the direction of claims 1, 3-7, 10, 23, 39, and 40.

Claim 1, as amended, recites (with emphasis added):

1. A security control apparatus comprising:
a voice analysis apparatus ..., wherein the voice analysis apparatus comprises a speaker dependent voice analysis means for analyzing a first received voice signal to effect access to a secured area and a speaker independent voice analysis means for analyzing a second received voice signal being different from the first received voice signal, the second received voice signal including a passcode to effect entry into a secured area and which passcode is verified by the control apparatus to effect the access to the secured area, the speaker independent voice analysis means being activated to analyze the second received voice signal when the speaker dependent voice means fails to identify the first received voice signal.

Gullman discloses the use of voice analysis technology in a security apparatus, such as a biometric token, but does not suggest *a speaker dependent voice analysis means for analyzing a first received voice signal and a speaker independent voice analysis means for analyzing a second received voice signal being different from the first received voice signal*, where the speaker independent voice analysis means is activated to analyze the second received voice signal when the speaker dependent voice means fails to identify the first received voice signal.

Dams does not make up for the deficiencies of Gullman. The Examiner has argued that FIG. 3 and Col. 4, lines 20-28 specify an apparatus in which a speaker dependent voice analysis arrangement analyzes a first received voice signal and a speaker independent voice analysis arrangement which is activated to analyze a second received voice signal when the speaker dependent voice arrangement fails to identify the first received voice signal.

Applicants disagree with the Examiner's interpretation of Dams. Referring to FIG. 3 and Col. 4, lines 13-28, applicants note that Dams discloses a speaker-dependent recognition in block 56 and a speaker-independent recognition in block 66. Dams discloses that when a phone call is received, a speaker-independent recognition is attempted at block 56 and, in the event that the speech recognition fails, the *same voice signal* is provided to the speaker-independent recognition process of block 66. Accordingly, *there is only one voice signal that is analyzed in Dams*. Claim 1, on the other hand, requires a speaker independent voice

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analysis means for analyzing a *second received voice signal being different from the first received voice signal*.

Accordingly, claim 1 and claims 3-6 and 39 depending therefrom, distinguish over Gullman in combination with Dams. Claims 7, 10, 23, and 40 contain distinguishing limitations similar to those of claim 1 and therefore also distinguish over Gullman in combination with Dams for reasons similar to those discussed above with respect to claim 1.

Thus, applicants respectfully submit that the rejection of claims 1, 3-7, 10, 23, 39, and 40 under 35 U.S.C. §103(a) given Gullman in view of Dams should be withdrawn.

35 U.S.C. §103(a) rejection – claims 26-29 (Gullman, Dams, and Pinzon)

Claims 26-29 were rejected under 35 U.S.C. §103(a) as being obvious given Gullman in view of a combination of Dams and Pinzon. The Examiner stated that Gullman fails to disclose a motor for operating a barrier. However, the examiner argued that such limitation is disclosed by Pinzon and that it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the disclosures of Gullman, Dams, and Pinzon in the direction of claims 26-29.

As discussed above with respect to the discussion of the rejection of claim 1 given Gullman in view of Dams, claim 26 contains distinguishing limitations similar to those of claim 1 and therefore distinguishes over Gullman in view of Dams for reasons similar to those discussed with respect to claim 1. Pinzon does not make up for the deficiencies of Gullman and Dams. Pinzon discloses a door locking/unlocking system utilizing direct and network communications. However, the combination of Gullman, Dams, and Pinzon does not suggest a barrier movement apparatus comprising a speaker dependent voice analysis apparatus responsive to a first successful analysis of a predetermined spoken command from a predetermined speaker for controlling the motor to operate the barrier, and a speaker independent voice analysis apparatus being activated responsive to the successful analysis of the speaker independent predetermined voice analysis apparatus and being responsive for a short period of time to a second spoken command from any speaker for changing barrier movement, *the second command being different from the first command and indicating a safety purpose*, as is required by claim 26.

Accordingly, claims 26 and 27-29 depending therefrom distinguish over Gullman in combination with Dams and Pinzon.

Moreover, applicants submit that it would not have been obvious to a person of ordinary skill in the art at the time of the invention to combine teachings of Gullman, Dams, and Pinzon in the direction of claims 26-29, as is suggested by the Examiner. The embodiment specified in claim 26 is used to allow anyone to stop a moving barrier by voice seconds after its movement is initiated. For example, by voice activation a mother can stop a garage door from hitting a child.

Nothing in the Gullman, Dams, and Pinzon references shows a speaker independent analysis in response to successful speaker dependent analysis. The cited references have no need for such analysis because safety (the termination of a prior action) is not a part of any system described in the art. In short, the cited references did not recognize or solve the problem solved by applicants.

Because the above-mentioned claim elements are not taught or suggested by any of the references, it is submitted that claims 26-29 are further allowable over the proposed Gullman-Dams-Pinzon combination. Therefore, applicants respectfully submit that the rejection of claims 26-29 under 35 U.S.C. §103(a) given Gullman in view of Dams and Pinzon should be withdrawn.

35 U.S.C. §103(a) rejection – claims 1, 3-8, 10, 11, 23, 24, 39, and 40 (Mays, Dams, and Gullman)

Claims 1, 3-8, 10, 11, 23, 24, 39, and 40 were rejected under 35 U.S.C. §103(a) as being obvious given Mays in view of a combination of Dams and Gullman.

The Examiner stated that Mays discloses a speech activatable door operator system comprising (a) a barrier or door; (b) a base controller responsive to security codes; and (c) a speech activated controller unit having a voice analysis apparatus. The Examiner stated that Mays fails to disclose “the speaker independent voice analysis arrangement being activated when the speaker dependent voice arrangement fails to identify a received voice signal. However, the Examiner stated that such feature was disclosed by Dams. The Examiner also stated that the combination of Mays and Dams fails to disclose a security code including a portion representing user interaction with the security code source unit. However, the

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Examiner stated that such feature was taught by Gullman and that it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the teachings of Mays, Dams, and Gullman in the direction of claims 1, 3-8, 10, 11, 23, 24, 39, and 40.

As discussed above, claim 1 distinguishes over a combination of Gullman and Dams. Mays does not make up for the deficiencies of Gullman and Dams. Mays describes a system in which “a speech activation unit 53 may be programmed to recognize a predetermined number of words in a speaker dependent *or* speaker independent mode.” [Mays, Para.20] Consequently, a combination of Mays, Dams, and Gullman does not suggest *a speaker dependent voice analysis means for analyzing a first received voice signal and a speaker independent voice analysis means for analyzing a second received voice signal being different from the first received voice signal*, where the speaker independent voice analysis means is activated to analyze the second received voice signal when the speaker dependent voice means fails to identify the first received voice signal, as is required by claim 1.

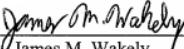
Accordingly, claim 1 and claims 3-6 and 39 depending therefrom, distinguish over Mays in combination with Dams and Gullman. Claims 7, 8, 10, 11, 23, 24, and 40 contain distinguishing limitations similar to those of claim 1 and therefore also distinguish over Mays in combination with Dams and Gullman for reasons similar to those discussed above with respect to claim 1.

Thus, applicants respectfully submit that the rejection of claims 1, 3-8, 10, 11, 23, 24, 39, and 40 under 35 U.S.C. §103(a) given Mays in view of a combination of Dams and Gullman should be withdrawn.

V. Conclusion

For the above-mentioned reasons, the applicants respectfully request reconsideration and allowance of the pending claims. The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135.

Respectfully submitted,

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